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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,076	04/25/2001	Peter Schweitzer	STZ	7590
20238	7590	02/09/2005	EXAMINER	
THE LAW OFFICES OF THOMAS L. ADAMS 120 EAGLE ROCK AVENUE P.O. BOX 340 EAST HANOVER, NJ 07936			ENG, GEORGE	
			ART UNIT	PAPER NUMBER
			2643	

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/842,076

Applicant(s)

SCHWEITZER, PETER

Examiner

George Eng

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20,34-41,43 and 44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20,34-41,43 and 44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/21/2005 has been entered.

### ***Response to Amendment***

2. This Office action is in response to the amendment filed 1/21/2005. Accordingly, claims 21-33 and 42 are cancelled and claims 1-20, 34-41 and 43-44 are pending for examination.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-2, 5-10, 12-19, 34-41 and 43-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allport (US PAT. 6,021,177) in view of Smith (US PAT. 5,166,972).

Regarding claims 1, Allport discloses a switching equipment in a switch telephone network for alerting and warning the general public comprising a switch (A12, figure 1) operable to establish telephonic communication between callers and called party over a predetermined number of subscriber lines with a standard ring pattern, and to provide non-verbally alert people to seek emergency instruction from another medium without answering a telephone, the switch (A12, figure 1) being operable to receive an emergency alert message broadcast from a coordination center (A10, figure 1) intended to alert and warn the general public, the emergency alert message signifying a geographical region of concern (col. 4 lines 38-64), and transmitting an alert message over all available ones of the subscriber lines handled by the switch that are in area codes and exchanges within the geographical region of concern without discriminating between subscriber if area codes and exchanges handled by the switch are within the geographical area of concern, wherein said alert message ringing a plurality of subscribers in a repetitive pattern (col. 4 line 65 through col. 6 line 10). Allport differs from the claimed invention in not specifically teaching the switch transmits the emergency ring pattern simultaneously ringing a plurality of subscribers in the repetitive pattern with pauses of varying durations. However, Smith teaches a group emergency system for use in an exchange to alert a group of people in an event of emergency utilizing a distinctive ringing pattern for simultaneously ringing a plurality of subscribers in the repetitive pattern with pauses of varying durations in order to effectiveness in providing the early disaster warning to telephone subscribers in predetermined geographic areas by distinguishing between normal calls to their homes and an emergency call (col. 3 lines 30-38). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Allport in

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transmitting the emergency ring pattern simultaneously ringing a plurality of subscribers in the repetitive pattern with pauses of varying durations, as per teaching of Smith, in order to effectiveness in providing the early disaster warning to telephone subscribers in predetermined geographic areas by distinguishing between normal calls to their homes and an emergency call.

Regarding claim 2, Allport discloses a link (A16, figure 1) to send a broadcast signal signifying the need for a recurrence elsewhere of a response performed locally by the switch (col. 4 lines 38-64), as well as Smith (col. 3 line 39 through col. 4 line 6).

Regarding claims 5-6, Allport teaches the broadcast signal including information signifying a destination for the broadcast signal and information signifying an emergency type (col. 4 lines 50-54), as well as Smith (col. 4 lines 42-50).

Regarding claim 7, Smith discloses an assignment data table, i.e., a database, having information about the subscriber lines, and the switching equipment being operable to send the emergency ring pattern to a portion of the subscriber lines from the table in response to the signal command event (col. 4 lines 33-50).

Regarding claims 8-9, Smith teaches to transmit the emergency ring pattern at different time when subscriber sets busy and to provide distinctive ring pattern for the emergency call (col. 3 lines 30-46) so that it recognizes the switching equipment being operable to transmit the emergency ring pattern at different times for different groupings of the subscriber lines and to multiplex the emergency ring pattern in order to ring in the same time period with a different phase.

Regarding claim 10, Smith teaches the subscriber lines being segregated into a queue so that the switching equipment is operated to sequentially ring individual ones of the queue

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exclusively before completing and sequencing to the next one of the queue (col. 3 line 65 through col. 4 line 15 and col. 5 line 55 through col. 6 line 17).

Regarding claim 12, the limitations of the claim are rejected as the same reasons set forth in claim 1.

Regarding claim 13, the limitations of the claim are rejected as the same reasons set forth in claim 2.

Regarding claims 14-15, the limitations of the claims are rejected as the same reasons set forth in claims 5-6.

Regarding claim 16, the limitations of the claim are rejected as the same reasons set forth in claim 7

Regarding claims 17-18, the limitations of the claims are rejected as the same reasons set forth in claims 8-9.

Regarding claim 19, the limitations of the claim are rejected as the same reasons set forth in claim 10.

Regarding claim 34, the limitations of the claim are rejected as the same reasons set forth in claim 1.

Regarding claim 35, the limitations of the claims are rejected as the same reasons set forth in claim 2.

Regarding claims 36-37, the limitations of the claims are rejected as the same reasons set forth in claims 5-6.

Regarding claim 38, the limitations of the claims are rejected as the same reasons set forth in claim 7.

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Regarding claims 39-40, the limitations of the claims are rejected as the same reasons set forth in claims 8-9.

Regarding claims 41, the limitations of the claims are rejected as the same reasons set forth in claim 10.

Regarding claims 43-44, Smith teaches additional dedicated computers programmed to accomplish the special ring, wherein the plurality of switches are operable to send the special ring from one central office to another in order to alert the entire general public (col. 1 line 42 through col. 2 line 7).

5. Claims 3-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allport (US PAT. 6,021,177) in view of Smith (US PAT. 5,166,972) as applied in claim 1 above, and further in view of Miller et al. (US PAT. 6,061,430 hereinafter Miller).

Regarding claims 3-4, Allport teaches the switch (A12, figure 1) being operable to transmit the broadcast signal to the link (A18, figure 1). the combination of Allport and Smith differs from the claimed invention in not specifically teaching the link comprising a common channel signaling network, wherein the link comprises the common channel signaling network coupled to the switch. However, Miller teaches an enhanced telephony system for premises monitoring utilizing a link comprising a common channel signaling network, i.e., AIN network, wherein the common channel signaling network coupled to an AIN capable switch (col. 2 lines 21-56 and col. 5 line 1 through col. 6 line 5), in order to utilize a wide variety of cadence and ring sequence timing combinations. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of Allport

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and Smith in having the link comprising the common channel signaling network, wherein the link comprises the common channel signaling network coupled to the switch, as per teaching of Miller, because it utilizes a wide variety of cadence and ring sequence timing combinations.

6. Claims 11 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allport (US PAT. 6,021,177) in view of Smith (US PAT. 5,166,972) as applied in claim 1 above, and further in view of Lauterbach et al. (US PAT. 5,278,539 hereinafter Lauterbach).

Regarding claim 11, Allport discloses a link (A16, figure 1) to send a broadcast signal signifying the need for a recurrence elsewhere of a response performed locally by the switch (col. 4 lines 38-64), as well as Smith (col. 3 line 39 through col. 4 line 6). The combination of Allport and Smith differs from the claimed invention in not specifically teaching to send a broadcast signal to one or more cellular telephone network and PBXs. However, Lauterbach teaches an emergency alerting system for alerting and warning large number of people of the occurrence or threat of an emergency using available communication media, including PBXs and cellular telephone network (col. 3 line 64 through col. 4 line 20 and col. 6 lines 30-63) in order to utilize presently available modes of communications. Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of VAllport and Smith in sending the broadcast signal to one or more cellular telephone network and PBXs in order to broadcast the need for the recurrence elsewhere of a response performed locally by the switch, as per teaching of Lauterbach, because it utilizes presently available modes of communications.



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Regarding claim 20, the limitations of the claim are rejected as the same reasons set forth in claim 11.

### ***Response to Arguments***

7. Applicant's arguments with respect to claims 1-20, 34-41 and 43-44 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

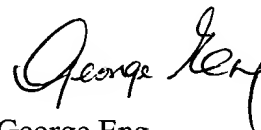
8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kugell et al. (US PAT. 5,802,160) discloses a multi-ring telephone method and system (abstract). Kruger et al. (US PAT. 5,337,342) discloses an emergency call system comprising an emergency call receiver for alerting a brief selected telephone parties to the presence of an emergency call (col. 1 lines 25-68).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Eng whose telephone number is 703-308-9555. The examiner can normally be reached on Tue-Fri 7:30 AM-6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A. Kuntz can be reached on 703-305-4708. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in cursive script, appearing to read "George Eng".

George Eng  
Primary Examiner  
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